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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

COCP-162-2018

DATE OF DECISION: 02.09.2019

RAMESH KUMAR AND ORS.

.. PETITIONERS

VERSUS

CHETAN SHARMA

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN

Present: Mr. Prashant Bansal, Advocate
for the petitioners.

Mr. R.S.Modi, Advocate
for the respondent.

AVNEESH JHINGAN, J. (Oral)

The present contempt petition has been filed alleging wilful disobedience of the order dated 02.12.2016 passed by this Court in CWP No. 24839 of 2016. The operative part of the order is reproduced below:

“Having heard the learned counsel for the petitioners and without expressing any opinion on the merits of the case, lest it should prejudice the rights of either of the parties, the Chief Executive Officer, Municipal Committee, Rajpura-respondent No.3 is directed to look into the matter, consider the grievance of the petitioners, raised vide their representation dated 26.10.2015 (Annexure P-3) and decide the same, at an early date by passing an appropriate order thereon, strictly in accordance with law, but in any case within a period of three months from the date of receipt of a certified copy of this order.”

Pursuant to the notice of motion, a reply by way of affidavit of Sh. Ravneet Singh, Executive Officer, Municipal Committee, Rajpura has been filed annexing the status report.

Learned counsel for the respondent states that the Chief Executive officer, Municipal Committee, Rajpura had looked into the matter and found 22 encroachments and the same have been removed.

Learned counsel for the petitioners submits that though some encroachments have been removed but not to the satisfaction of the petitioners.

The present contempt petition is disposed of. However, the petitioners would be at liberty to approach municipal authorities to raise the grievance that certain encroachments still exists or even in cases where encroachments have been removed still certain encroachments exists.

In case, the petitioners make some representation, the same would be dealt with by the respondent. The representation would be decided after providing an opportunity of hearing to the petitioners and by passing a speaking order and thereafter taking necessary steps, if so required.

Disposed of with liberty as prayed for.

Rule issued against the respondent is discharged.

2nd September, 2019

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**(AVNEESH JHINGAN)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*